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FILED
BOARD OF PHYSICAL THERAPY

MAR 13 2012

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STATE OF NEW JERSEY
DEPARTMENT OF LAW & PUBLIC SAFETY
DIVISION OF CONSUMER AFFAIRS
BOARD OF PHYSICAL THERAPY EXAMINERS

IN THE MATTER OF THE LICENSE OF :

Administrative Action

Dana Bongiorno, P.T.A. :
License NO:40QB00163000 :

MODIFIED CONSENT ORDER

TO PRACTICE PHYSICAL THERAPY :
IN THE STATE OF NEW JERSEY :

This matter came before the New Jersey State Board of Physical Therapy Examiners (hereinafter referred to as the "Board") upon the Board's random audit of licensed physical therapists and physical therapy assistants pursuant to N.J.A.C. 13:39A-9.4(d) who submitted license renewal applications to engage in the practice of physical therapy for the 2008-2010 biennial renewal period. The renewal applications submitted by licensed physical therapists and physical

therapy assistants included an acknowledgment regarding whether or not the licensees had completed thirty (30) continuing education credits during the period from February 1, 2006 through January 31, 2008 as required for the 2008-2010 biennial license renewal period pursuant to N.J.S.A. 45:9-37.18(a)10 and N.J.A.C. 13:39A-9.1 et. seq.

The information supplied by Dana Bongiorno, P.T.A. (hereinafter referred to as the "Respondent") in correspondence dated May 2, 2008 in response to the Board's audit is that she had not completed the thirty continuing education credits required upon renewal of the license to practice physical therapy although she indicated on the renewal application form that she had completed all continuing education credits required for renewal. Respondent also stated that in 2008 she researched goniometric usage in the field of Physical Therapy and listed several courses from the years of 2000 to 2002, however these courses are not recent enough to count toward the renewal period.

Respondent also submitted evidence to the Board that she had experienced financial difficulties related to a medical condition suffered by her spouse. This along with the her unemployment lead to her inability to obtain her continuing education credits.

Based upon all the available information reviewed, the Board has found that the respondent's conduct in failing to obtain thirty (30) continuing education credits in the period from February 1,

2006 through January 31, 2008 establishes a basis for disciplinary action as the Respondent did not meet the requirements for renewal of her license to practice physical therapy as she failed to obtain the requisite thirty (30) continuing education credits within the two years preceding the renewal period as required by N.J.S.A. 45:9-37.34(d) and N.J.A.C. 13:39A-9.1 et. seq.

Respondent submitted additional proofs of courses taken in 2010 which total 22 continuing education credits to satisfy the outstanding continuing education credits. Thus, Respondent is short 8 continuing education credits.

It appearing that the respondent desires to resolve this matter without further proceedings and waiving any right to a hearing, and the respondent acknowledging and not contesting the findings of fact and conclusion of law made by the Board; and the Board having been satisfied that the within resolution adequately protects the public health, safety and welfare; and for good cause shown:

ACCORDINGLY, IT IS ON THIS 13th DAY OF, March 2012

ORDERED that:

1. The Respondent's license to practice as a physical therapist assistant, renewed on February 1, 2008 shall remain on active status.

2. Respondent shall submit proof of satisfactory completion of the 8 continuing education credits within 60 days of the entry of this order. Board will accept 8 internet courses to satisfy the outstanding credits. Failure to submit the outstanding credits within the time specified herein will result in the suspension of her license until the proof of completion of has been submitted to the Board. The 8 continuing education credits submitted to satisfy this order shall not be used to satisfy credits for the current biennial renewal period.

3. Respondent is cautioned in the future to obtain the requisite continuing education courses within the preceding renewal period as required by N.J.S.A. 45:9-37.34(d) and N.J.A.C. 13:39A-9.1 et. seq.

4. Respondent is hereby assessed a civil penalty in the amount of **\$100.00** for her failure to obtain the thirty (30) continuing education credits within the preceding biennial licensure renewal period.

5. Payment shall be made by certified check or money order and shall be made payable to the Board of Physical Therapy Examiners, attention Lisa Affinito, Executive Director, P.O. Box 42014, 124 Halsey Street, Newark, New Jersey 07101. Payment shall be due and owing within thirty days of the entry of this order and/or payment may be made in installments over ten months. Respondent shall contact Ms. Affinito to set up an installment

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payment plan.

6. Failure on the part of the respondent to pay the civil penalty timely or to comply with any of the terms of this Consent Order constitutes a violation of the Order, proof of which would constitute grounds for further disciplinary action by the Board.

NEW JERSEY STATE BOARD
OF PHYSICAL THERAPY EXAMINERS

By: Karen Wilk, P.T., Ph.D.
Chair

I have read and understand the within
Consent Order and agree to be bound
by its terms. Consent is hereby given
to the Board to enter this Order.

Dana Bongiorno P.T.A.
Dana Bongiorno, P.T.A.

DATED:

Registered for 2 courses on 3/7/12 - Online Courses
Case 2 Learn: Abuse and Neglect of The Elderly (1654)
4 credits
Food Safety in Long Term Care (1317)
4 credits
4
+ 4
8 credit hours
online